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Attorneys for Defendant
 EASTMAN KODAK COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE INC., a California Corporation,

 Plaintiff,

 v.

 EASTMAN KODAK COMPANY, a New
 Jersey Corporation,

 Defendant.

Case No. 5:10-CV-04145-JW-PSG

AGREED STIPULATION AND
[PROPOSED] ORDER PURSUANT TO
FED. R. CIV. P. 6(b)(1)(A) EXTENDING
KODAK'S TIME TO FILE ITS REPLY
IN SUPPORT OF MOTION TO
DISMISS UNTIL JANUARY 18, 2011

Courtroom: 8, Fourth Floor
 Judge: Hon. James Ware

STIPULATION AND [PROPOSED] ORDER EXTENDING KODAK'S TIME TO FILE ITS REPLY IN
SUPPORT OF MOTION TO DISMISS UNTIL JANUARY 18, 2011; Case No. 5:10-CV-04145-JW-PGS

WHEREAS, on October 8, 2010, Eastman Kodak Company ("Kodak") filed a Motion to Dismiss, Or In The Alternative, Transfer Venue to the Western District of New York, and noticed its motion for November 15;

WHEREAS, on October 12, 2010, the Court continued the hearing on Kodak's Motion to Dismiss, Or In The Alternative, Transfer Venue to the Western District of New York to January 31, 2011;

WHEREAS, on November 15, 2010, Kodak filed an Amended Motion to Dismiss, Or In The Alternative, Transfer Venue to the Western District of New York, And Motion to Stay Discovery, noticed for January 31, 2011;

WHEREAS, Apple timely filed its Opposition papers on January 10, 2011;

WHEREAS, Kodak's Reply and supporting papers are due "at least 14 days before" the January 31, 2011 hearing, Civil L.R. 7-3, which, because January 17, 2011 is a Court holiday, falls on Friday, January 14, 2011;

IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES, pursuant to Fed. R. Civ. P. 6(b)(1)(A), and Civil L.R. 6-2 and 7-12 and 16-2(e), to request that Kodak's time to file its reply is extended to **January 18, 2011**.

Dated: January 13, 2011

K&L GATES LLP

By: /s/ Mikal J. Condon
Michael J. Bettinger
Shane Brun
Rachel R. Davidson
Mikal J. Condon

Attorneys for Defendant
Eastman Kodak Company

Dated: January 13, 2011

WEIL, GOTSHAL & MANGES LLP

By: /s/ Liani G. Kotcher
Matthew D. Powers
Steven S. Cherenksy
Gregory D. Hull
Liani G. Kotcher

Attorneys for Plaintiff
Apple Inc.

1 I, Mikal J. Condon, attest that concurrence in e-filing this Stipulation and Proposed Order
2 has been obtained from signatory Liani G. Kotcher.

3 Dated: January 13, 2011

Respectfully submitted,

4 By: /s/ Mikal J. Condon

5 Mikal J. Condon

6 ~~PROPOSED~~ ORDER

7 PURSUANT TO THE STIPULATION, the time for Kodak to reply to its Amended
8 Motion to Dismiss or, in the Alternative, Transfer Venue and Motion to Stay is hereby extended
9 to January 18, 2011.

10 IT IS SO ORDERED.

11
12
13 Dated: January 14,, 2011

14 James Ware
Hon. James Ware, District Court Chief Judge